



ATTORNEY DOCKET NO.: 42P18210 *ETW*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

GEOFFREY W. PETERS, ET AL.

Application No.: 10/749,979

Art Group: 2644

Filed: December 30, 2003

Examiner: Not Yet Assigned

For: AUTOMATED PRESENTATION OF ENTERTAINMENT CONTENT IN
RESPONSE TO RECEIVED AMBIENT AUDIO

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts mailed May 4, 2004, please find enclosed:

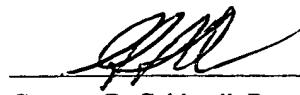
- a duly executed Declaration and Power of Attorney with payment in the amount of \$130.00 for the surcharge of 37 CFR § 1.16(e);
- a Petition for Extension of Time and payment in the amount of \$110.00;
- and
- copy of the Notice to File Missing Parts of Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. An extra copy of the Fee Transmittal is enclosed for deposit account charging purposes.

Respectfully submitted,

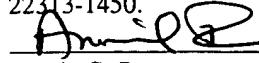
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: July 28, 2004


Gregory D. Caldwell, Reg. No. 39,926

12400 Wilshire Boulevard, 7th Floor
Los Angeles, CA 90025
Telephone: (503) 439-8778

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Annie G. Pearson

07/28/04
Date



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/749,979 | 12/30/2003 | Geoffrey W. Peters | 42P18210 |

08791
 BLAKELY SOKOLOFF TAYLOR & ZAFMAN
 12400 WILSHIRE BOULEVARD, SEVENTH FLOOR
 LOS ANGELES, CA 90025

CONFIRMATION NO. 9699

FORMALITIES LETTER



Date Mailed: 05/04/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
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 P.O. Box 1450
 Alexandria VA 22313-1450

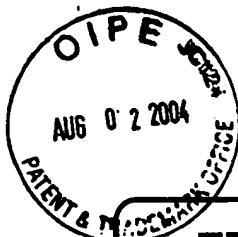
*A copy of this notice **MUST** be returned with the reply.*

Melonev

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
|--|----|------------------------|--------------------|
| | | Application No. | 10/749,979 |
| | | Filing Date | December 30, 2003 |
| | | First Named Inventor | Geoffrey W. Peters |
| | | Art Unit | 2644 |
| | | Examiner Name | Not Yet Assigned |
| Total Number of Pages in This Submission | 12 | Attorney Docket Number | 42P18210 |

ENCLOSURES (check all that apply)

| | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Basic Filing Fee <input checked="" type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> - check in the amount of \$240.00 - return postcard </div> |
| Remarks | | |

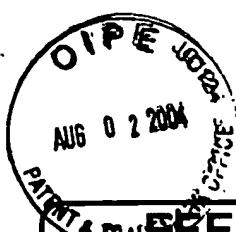
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|--|
| Firm or Individual name | Gregory D. Caldwell, Reg. No. 39,926 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP |
| Signature | |
| Date | July 28, 2004 |

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

| | | | |
|-----------------------|------------------|------|---------------|
| Typed or printed name | Annie G. Pearson | | |
| Signature | | Date | July 28, 2004 |



SEE TRANSMITTAL for FY 2004

Effective 01/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$ 240.00)

| <i>Complete if Known</i> | |
|--------------------------|--------------------|
| Application Number | 10/749,979 |
| Filing Date | December 30, 2003 |
| First Named Inventor | Geoffrey W. Peters |
| Examiner Name | Not Yet Assigned |
| Art Unit | 2644 |
| Attorney Docket No. | 42P18210 |

METHOD OF PAYMENT *(check all that apply)*

Check Credit card Money Order Other None
 Deposit Account

Deposit
Account
Number 02-2666

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments

Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEES CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | |
| 1001 | 770 | 2001 | 385 | Utility filing fee | |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |

2. EXTRA CLAIM FEES

| | Extra Claims | Fee from below | Fee Paid |
|-----------------------|----------------------|----------------------|----------------------|
| Total Claims | <input type="text"/> | | |
| Independent Claims | <input type="text"/> | $\times 20^*$ | <input type="text"/> |
| | $\times 3$ | <input type="text"/> | <input type="text"/> |
| Multiple Dependent | | | <input type="text"/> |

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|---|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 |
| 1203 | 290 | 2203 | 145 | Multiple Dependent claim, if not paid |
| 1204 | 86 | 2204 | 43 | **Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | **Reissue claims in excess of 20 and over original patent |

***or number previously paid, if greater. For Baisseus, see below.*

SUBMITTED BY

| | | | | | |
|-------------------|---|--------------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Gregory D. Caldwell | Registration No. (Attorney/Agent) | 39,926 | Telephone | (503) 439-8778 |
| Signature |  | | | Date | 07/28/04 |

Based on PTO/SB/17 (10-03) as modified by Blakely, Solokoff, Taylor & Zamani (wif) 02/10/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450